

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

| | | |
|--------------------------|---|------------------------------|
| FREDESVINDO MEJIA-NUNEZ, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | Civil Action No. 12-269 Erie |
| |) | |
| BOBBY MEEKS, |) | |
| |) | |
| Respondent. |) | |

MEMORANDUM ORDER

This action was received by the Clerk of Court on October 29, 2012 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rule 72 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation [ECF No. 12], filed on July 10, 2013, recommended that the petition for writ of habeas corpus be dismissed for lack of subject matter jurisdiction. The parties were allowed fourteen (14) days from the date of service to file objections and no objections were filed. After de novo review of the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 30th day of July, 2013;

IT IS HEREBY ORDERED that the petition for writ of habeas corpus is
DISMISSED for lack of subject matter jurisdiction.

The Report and Recommendation [ECF No. 12] of Magistrate Judge Baxter, filed on July 10, 2013, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
Chief United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge